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17 Nanometrics Incorporated

18 SHEPPARD MULLIN RICHTER & HAMPTON LLP  
19 A Limited Liability Partnership  
20 Including Professional Corporations  
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19 Attorneys for NOVA MEASURING  
20 INSTRUMENTS, LTD. and NOVA MEASURING  
21 INSTRUMENTS, INC.

22 **IN THE UNITED STATES DISTRICT COURT FOR THE**  
23 **NORTHERN DISTRICT OF CALIFORNIA**

24 NANOMETRICS INCORPORATED ) Case No. C 06-CV-06318 WHA  
25 Plaintiff, ) **PROPOSED ORDER RE SCHEDULE**  
26 NOVA MEASURING INSTRUMENTS ) **FOR CLAIM CONSTRUCTION**  
27 LTD., and NOVA MEASURING )  
28 INSTRUMENTS, INC. ) Date: July 11, 2007  
Defendants. ) Time: 1:30 p.m.  
AND RELATED COUNTERCLAIMS. ) Place: Courtroom 9, 19th Floor  
 ) Hon. William H. Alsup

1 The parties to the above-entitled action hereby jointly stipulate and request that the Court adopt  
 2 the following claim construction schedule:

3 Nova's Disclosure of Preliminary Invalidity Contentions	March 14, 2007
4 Parties Exchange Terms for Construction	March 28, 2007
5 Parties Exchange Proposed Constructions	April 10, 2007
6 Joint Claim Construction and Prehearing Statement	May 1, 2007
7 Close of discovery related to claim Construction	May 15, 2007
8 Nanometrics' Opening Claim Construction Brief	May 30, 2007
9 Nova's Opposition Brief	June 13, 2007
10 Nanometrics' Reply Brief	June 20, 2007
11 Tutorial Hearing	June 27, 2007
12 Claim Construction Hearing	July 11, 2007 <sup>1</sup>

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<sup>1</sup> This hearing is scheduled for the same day as the claim construction hearing in Case No. 06-cv-02252 (N.D. Cal.), currently pending before Judge Armstrong involving the same parties and counsel. Accordingly the parties anticipate requesting that one or the other hearing date be moved.

1 By his signature below, counsel for Nanometrics hereby attests that counsel for Nova has  
2 concurred in this filing.

3 Beck, Ross, Bismonte & Finley, LLP  
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5 Dated : January 30, 2007

6 By: \_\_\_\_\_/s/  
7 Jeremy M. Duggan  
8 Attorneys for Plaintiff and Counterdefendant  
9 Nanometrics Incorporated

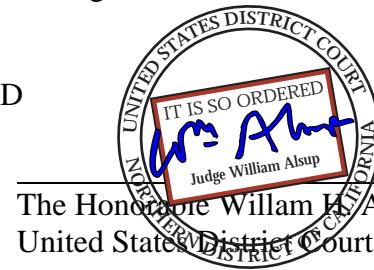
10 Sheppard Mullin Richter & Hampton LLP  
11

12 Dated : January 30, 2007

13 By: \_\_\_\_\_/s/  
14 Nathaniel Bruno  
15 Attorneys for Defendants and Counterclaimants  
16 Nova Measuring Instruments Ltd., and Nova  
17 Measuring Instruments, Inc.

18 PURSUANT TO STIPULATION, IT IS SO ORDERED  
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20 Dated: January 31, 2007  
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22 The Honorable William H. Alsup  
23 United States District Court Judge  
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